

PROB 12A
(6/21)

United States District Court
for
District of New Jersey
Report on Individual Under Supervision

Name of Individual Under Supervision: Joseph Elias DiValli

Cr.: 14-00724-001
PACTS #: 66227

Name of Sentencing Judicial Officer: THE HONORABLE SUSAN D. WIGENTON
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 05/22/2018

Original Offense: Count One: Conspiracy to Commit Wire Fraud, 18 U.S.C. § 1343, 1349 and 2
Count Two: Wire Fraud, 18 U.S.C. § 1343, 1349 and 2
Count Three: Tax Evasion, 26 U.S.C. § 7201

Original Sentence: 18 months imprisonment, 3 years supervised release

Special Conditions: \$300 - Special Assessment, \$2,322,044.80 - Restitution, Drug Testing and Treatment, Financial Disclosure, Internal Revenue Service – Cooperation, New Debt Restrictions, Self-Employment/Business Disclosure, Occupational Restrictions, and Supporting Dependents

Type of Supervision: Supervised Release

Date Supervision Commenced: 11/19/2019

NONCOMPLIANCE SUMMARY

The individual under supervision has not complied with the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- | | |
|---|---|
| 1 | Failure to satisfy financial obligations |
| 2 | <p>The individual under supervision has violated the special condition which states ‘You are prohibited from incurring any new credit charges, opening additional lines of credit, or incurring any new monetary loan, obligation, or debt, by whatever name known, without the approval of the U.S. Probation Office. You must not encumber or liquidate interest in any assets unless it is in direct service of the fine and/or restitution obligation or otherwise has the expressed approval of the Court.’</p> <p>On November 10, 2021, our office conducted an Equifax credit inquiry and it revealed that DiValli opened additional credit accounts without the approval of the U.S. Probation Office.</p> |

U.S. Probation Officer Action:

Throughout his term of supervised release, DiValli did not comply with new debt restrictions. On November 10, 2021, our office conducted an Equifax credit inquiry and it revealed he opened additional credit accounts without the permission of the U.S. Probation Office. DiValli reported to be unaware of the special condition and opened the accounts to improve his credit score. He was very apologetic for his actions. He has complied with all other standard and special conditions.

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DiValli has paid \$7,120 towards his restitution. The individual under supervision's term of supervision is due to expire on November 18, 2022, with an outstanding restitution balance of \$2,160,687.76. The Financial Litigation Unit of the United States Attorney's Office was notified of the expiration of supervision and has a standing order for garnishment of the person under supervision's earnings and all future income tax refunds via the Treasury Offset Program (TOP). This Office recommends the supervision term be allowed to expire as scheduled since the restitution order remains imposed as a final judgment, pursuant to Title 18, U.S.C., Sections 3554 & 3613.

Respectfully submitted,

SUSAN M. SMALLEY,
Chief U.S. Probation Officer

Elisa Martinez

By: ELISA MARTINEZ
Supervising U.S. Probation Officer


/bgm

PREPARED BY:

Brendan G. Murillo 10/28/2022
BRENDAN G. MURILLO Date
U.S. Probation Technician

Please check a box below to indicate the Court's direction regarding action to be taken in this case:

- ☒ No Formal Court Action and Allow Supervision to Expire as Scheduled on November 18, 2022 (as recommended by the Probation Office)
- ☐ Submit a Request for Modifying the Conditions or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other



Signature of Judicial Officer

October 28, 2022

Date